

**JAMES E. HYMAN,**

**Plaintiff,**

**V.**

**YESCARE CORP., VALITAS  
INTERMEDIATE HOLDINGS, INC.,  
CHS TX, INC., PERIGROVE, LLC,  
SARA TIRSCHWELL, SCOTT KING,  
ABRAHAM GOLDBERGER,  
YITZCHOK “ISAAC” LEFKOWITZ,  
and DAVID GEFNER,**

## Defendants.

**No. 3:22-cv-01081**

## Campbell/Holmes

## JURY DEMAND

## DECLARATION OF MICHAEL A. JOHNSON

I, Michael A. Johnson, under penalty of perjury, state and declare as follows:

1. I am over eighteen (18) years of age and am competent to provide the testimony herein. The matters stated in this declaration are based upon my personal knowledge.

2. I am a counsel of record for Plaintiff James E. Hyman in the above-captioned matter.

3. Defendant Perigrove, LLC was served with process in this matter on March 28, 2023. (D.E. 31). Proof of service of process is attached as **Exhibit 1** to this declaration.

4. To date, Perigrove, LLC has failed to plead or otherwise respond to Mr. Hyman's complaint as required by Federal Rule of Civil Procedure 12.

I declare under penalty of perjury that the foregoing is true and correct.

s/ Michael A. Johnson

Michael A. Johnson

Date: 05.23.2023

# EXHIBIT

1

# UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

JAMES E. HYMAN

*Plaintiff*

v.

YESCARE CORP., et al.

*Defendant*

Civil Action No. 3:22-cv-01081

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* PERIGROVE, LLC  
351 SPOOK ROCK ROAD  
SUFFERN, NY 10901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Kay Griffin, PLLC  
c/o Michael A. Johnson  
222 Second Ave. N., Ste. 340-M  
Nashville, TN 37201

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 1/17/2023



CLERK OF COURT

*Kim Chaok*  
Signature of Clerk or Deputy Clerk

**SERVICE COPY**

**UNITED STATES DISTRICT COURT FOR THE MIDDLE  
DISTRICT OF TENNESSEE**



P8806663

**AFFIDAVIT OF SERVICE**

Index no : **3:22-CV-01081**

Plaintiff(s):	<b>JAMES E HYMAN</b>
	vs.
Defendant(s):	<b>YESCARE CORP., et al</b>

STATE OF NEW YORK  
COUNTY OF PUTNAM

ss.:

**William Feliciano**, the undersigned, being duly sworn, deposes and says:  
Deponent is not a party herein and is over 18 years of age.

On **03/28/2023** at **11:41 AM**, I served the within **SUMMONS IN A CIVIL ACTION, COMPLAINT, EXECUTIVE EMPLOYMENT AGREEMENT, SECOND AMENDMENT TO EXECUTIVE EMPLOYMENT AGREEMENT, EXHIBIT(S) and or OTHER FILED DOCUMENTS** with the index#**3:22-CV-01081** endorsed thereon on **PERIGROVE, LLC** at **22 PHYLLIS TERRACE, APT #1, MONSEY, NY 10952** in the manner indicated below:


ENTITY/CORPORATION/LLC/LLP SERVICE: By delivering a true copy of said documents to **Jane Doe, AUTHORIZED** of the above named corporation/government agency/entity. The undersigned asked the recipient if he/she is authorized to accept service on behalf of **PERIGROVE, LLC**, and the recipient responded in the affirmative.


Comments: **Title: Managing Agent**

A description of the defendant, or other person served on behalf of the defendant is as follows:

Sex	Color of skin	Color of hair	Age	Height	Weight
<b>Female</b>	<b>Caucasian</b>	<b>Head Wrap</b>	<b>55-65</b>	<b>5ft 4in - 5ft 6in</b>	<b>161-200 lbs</b>
Other Features: <b>Wears Glasses</b>					

Sworn to and subscribed before me on **03/29/2023**

  
\_\_\_\_\_  
**DANIEL P. BECKER**  
Notary Public, New York State  
NO: 01BE5077108  
Qualified In Putnam County  
Commision Expires May 5, 2027

X   
\_\_\_\_\_  
**William Feliciano**  
**LEXITAS**  
1235 Broadway 2nd Floor  
New York, NY 10001

Job#: 8806663